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**Subject:**        **Standard Rules of Practice and Procedure for Building, Electrical & Mechanical Inspectors and Building & Structures Division Employees.**

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**Purpose:**        This bulletin is issued to establish the responsibilities and duties for the position of Building, Electrical & Mechanical Inspector, and to establish standard rules of practice and procedure for Building & Structures Division (BSD) Employees to follow when they are performing their official duties.

**Note:**           For the purpose of clarity and brevity, the pronouns "He" and "His" are used editorially throughout this rule and it should be understood that where used they are to be interpreted as applying to both male and female employees of the Building & Structures Division. Also, the term Inspector shall be intended to include Building, Electrical and/or Mechanical Inspector where applicable.  
All specific references to Building Code Sections pertain to the Sixth edition of the Massachusetts State Building Code (Building Code) or it's referenced codes and standards.

**Determination:**

General considerations

A BSD Employee, in carrying out the functions of the Inspectional Services Department (ISD), shall direct his best efforts to accomplish that end intelligently and efficiently and shall hold himself in readiness at all times to respond to requests for assistance from the general public and his superiors. He shall conduct his affairs in a manner consistent with the policies of ISD and reflect the highest standards of honesty, integrity and fairness at all times when performing his official duties. He shall exercise care and good judgement in the use of official City of Boston equipment. Inspectors must present themselves in a professional manner at all times when performing official duties.

**Article I.                Public Integrity Policy**

1. Policy

It is the policy of ISD that every action of ISD as an organization, and those of individuals, who act on its behalf, will reflect the highest standards of honesty and integrity. In all of our interactions, whether with the general public, or with each other, we will act in accordance with the ethical standards established by the City of Boston, ISD and this bulletin. It is the responsibility of ISD and its employees to prevent detect and correct instances of misconduct, whether administrative or in violation of law or the public trust.

2. Compliance with Public Integrity Policy

It shall be the duty and responsibility of each and every BSD employee to become familiar with and conduct themselves in accordance with the public integrity policy of ISD as stated in this bulletin, and Commissioner's Bulletin Number 2002-17, and any other published policy statements or Commissioner's Bulletins regarding the Public Integrity Policy or ISD.

## **Article II: Standard Rules of Practice and Procedure for Inspectors.**

### General Considerations:

All BSD employees shall conduct themselves in a professional manner at all times. Inspectors shall be prepared at all times for the proper discharge of their official duties. They shall be impartial in the use of their legal authority in enforcing the code, shall avoid all conflicts of interest and appearances of impropriety; and shall exhibit the utmost respect for the legal rights of all. BSD employees shall comply with the following standard rules of practice and procedures when performing their official duties. Office hours are from 8:00 AM to 5:00 PM. The workweek consists of 35 hours and inspectors until further notice will be assigned either an 8:00AM to 4:00PM or 9:00AM to 5:00PM shift. Field inspectors shall set aside the first and last hours of the day for office time to allow for scheduling, meeting with the public and returning phone messages.

### Section 1.0: Scheduling of Inspections 780 CMR 115.0

#### *1.1 General Inspections*

Upon receipt of a request for an inspection of a proposed or current construction project, the Inspector shall make every effort to accommodate this request within 48 hours. In the event that the district inspector cannot accommodate the request, he shall attempt to coordinate an inspection by another inspector. When the request is taken by someone other than the specific inspector, the person taking that request shall obtain the name and daytime phone number of a contact person. The inspector shall call to confirm, or rearrange the time of inspection if needed.

#### *1.2 Complaints*

- a. All Complaints shall be referred to Data Entry for proper tracking and distribution. Once entered, complaints should be transmitted to the appropriate unit supervisor for assignment.
- b. Any request for inspection that alleges that conditions exist that may endanger or impair the health or safety of occupants or the general public are to be referred to a BSD supervisor who shall determine whether it is an emergency or not. Emergency complaints must be scheduled for an immediate inspection.
- c. All requests for inspections of alleged violations of the State Building, Electrical or Mechanical Code, or City of Boston Zoning Code that do not meet the criteria of an emergency complaint are to be designated as non-emergency complaints. These shall be referred to the district inspector who shall investigate and report their findings to their supervisor within three business days.

#### **1.4 Violations**

- a. If an inspection reveals that a violation of the Building, Electrical, Mechanical or Zoning Code does exist, a written violation notice to correct must be prepared by the inspector, approved and signed by their supervisor, and served upon the owner, owner's agent or contractor, in the manner provided by law.
- b. Said order to correct must contain a compliance time frame of 24 hours for emergency conditions. Non-emergency orders to correct must contain a compliance time frame of 30 days.
- c. All written violations must be monitored for status until completely corrected. Violations shall be sworn out in court no later than 60 days after service if not completely corrected.
- d. The above shall be carried out in a manner consistent with Commissioner's Bulletin 2002-05 (Time Standards for processing Legal Notices of Violations of the State Building Code) and 2002-19 (Standard Rules for the Alternative Disposition of Legal Notices of Violation).

### *1.5.1*

#### *Stop Work Orders/Revocations*

- a. **STOP WORK:** If an inspection reveals conditions at a construction site that present an imminent health or safety hazard to the workers or to the general public, BSD inspectors must immediately notify a supervisor and inform her/him of the conditions observed. The Inspector shall then and post the site with a Stop Work Order citing the reasons same in accordance with the State Building Code Section 119.0, and follow up in writing as outlined in paragraph 1.4a above.
- b. **REVOCATION:** If conditions in the field or information obtained relative to an issued permit are found to be inconsistent with the documents on file, the inspector shall revoke the permit in accordance with Section 111.12 of the State Building Code after a supervisor has reviewed the facts and given authorization for such action. The Inspector shall also post the site as outlined in paragraph 1.5a above. Permit revocation shall require the permit holder to resubmit an application for new permit subject to a double fee or, at the discretion of the Building Commissioner, to submit an application amendment as set forth in 780 CMR 110.13 to properly correct any misrepresentation.

## **Section 2.0:**

### **Obtaining Legal Entry for Inspections**

#### *2.1*

##### *Administrative Inspection Consent Forms*

- a. It shall be the duty and responsibility of each inspector to familiarize himself with the rules set forth in Commissioner's Bulletin Number 1999-05 and Number 2000-02 regulating the manner in which inspectors may obtain access in order to perform inspections. Inspectors shall strictly adhere to the procedures and requirements set forth in this bulletin.
- b. This bulletin provides occupants with notice of their right to refuse to consent to an administrative inspection. And further sets forth the procedures to be followed in obtaining an administrative inspection warrant if an occupant refuses a legal request to enter by an inspector in accordance with Section 115.6 of the Mass. State Building Code.

#### *2.2*

##### *Foreign Language Interpretation*

- a. ISD will provide interpreters as needed. Whenever BSD employees are unable to communicate with a client or customer due to a language barrier a supervisor should be contacted. The supervisor will make the necessary arrangements to provide an interpreter. Once an interpreter is present at the site, the inspector may proceed as outlined in paragraph b.

## **Section 3.0:**

### **Conduct of Inspections**

#### *3.1*

##### *Inspections*

When conducting inspections in public or with other agencies, inspectors shall identify themselves as City of Boston officials. At all times, while on duty, inspectors shall carry their badges and identification cards on their person and shall have them readily accessible for display at all times.

All employees must present picture identification at the beginning of inspections. These procedures provide the public with the assurance and knowledge that they are dealing with employees of the City of Boston.

Applicants shall be informed of the required points of inspection at the time of application in accordance with Section 115.2 of the Mass. State Building Code. All inspections shall be conducted in accordance with 780 CMR 115.0 and any other applicable legal requirements. It is the duty and responsibility of each inspector to familiarize themselves with the above-mentioned requirement as well as all other regulations and ordinances that BSD is required to enforce.

### 3.2 *Emergency Inspections*

If an inspection reveals conditions that present an imminent health or safety hazard to the occupant or to the general public, BSD inspectors must immediately notify a supervisor and inform her/him of the conditions observed, any immediate actions taken, and the inspector's recommendation for further action. An emergency order to correct must be written during the inspection and served within 24 hours if the property owner resides within the City of Boston. If the premises are determined to be a threat to public health or safety, and cannot be reasonably secured by the owner in a timely manner, a building or premises watch may be ordered by the supervisor. This shall be done in a manner consistent with published rules for building watches. If response is an off-hours emergency involving any potential danger of collapse, soil shifting or other site safety issues, a stop work order shall be issued immediately and the permit holder or his agent directed to meet with the Inspector of Buildings the next business day. Notwithstanding the permit holder's certified professional engineer finding that no safety issues are present prior to that meeting, the procedure outlined in this section shall be followed unless directed otherwise by the Inspector of Buildings or the Assistant Commissioner of Buildings and Structures.

### 3.3 *Reporting Requirements for Emergency Cases*

All emergency complaints received via complaint line (Mayor's 24 hour or in house) or via in the field must be reported to a supervisor in the appropriate inspection division (i.e., building, electrical, mechanical). The unit supervisor will dispatch an Inspector who will report on emergency conditions observed during an inspection, and await further instructions before leaving an inspection site. The Unit Supervisor will inform the Investigative and Regulatory Enforcement Division (Special Operations) of the situation where conditions warrant.

Supervisors and Inspectors must ensure that all complaints are properly followed through to compliance or court enforcement; and that the applicable databases are updated daily.

## **Section 4.0: Condemnations and Relocation Assistance 105 CMR 410.831** **Exit Order/Hazardous Means of Egress**

### 4.1 *Condemnations*

All condemnations shall be referred to the Housing Inspection Division and/or the Investigative and Regulatory Enforcement Division (Special Operations) and conducted in accordance with 105 CMR 410.831 and 950.

Approval must be obtained from the Assistant Housing Commissioner or his designee, before a condemnation order or a vacate order is issued.

### 4.2 *Exit Orders*

In accordance with Section 1004.2.1 of the Building Code, in any building not provided with the proper exit facilities and in which the exits are deemed hazardous or dangerous to life and limb, the Building Official shall declare such building unsafe in accordance with Section 121.0 and issue a Vacate Order. All relocation of occupants shall be conducted in accordance with commissioner's Bulletin 2001-6, which establishes procedures to be followed by inspectors when relocating occupants from buildings is required because of dangerous or life threatening conditions.

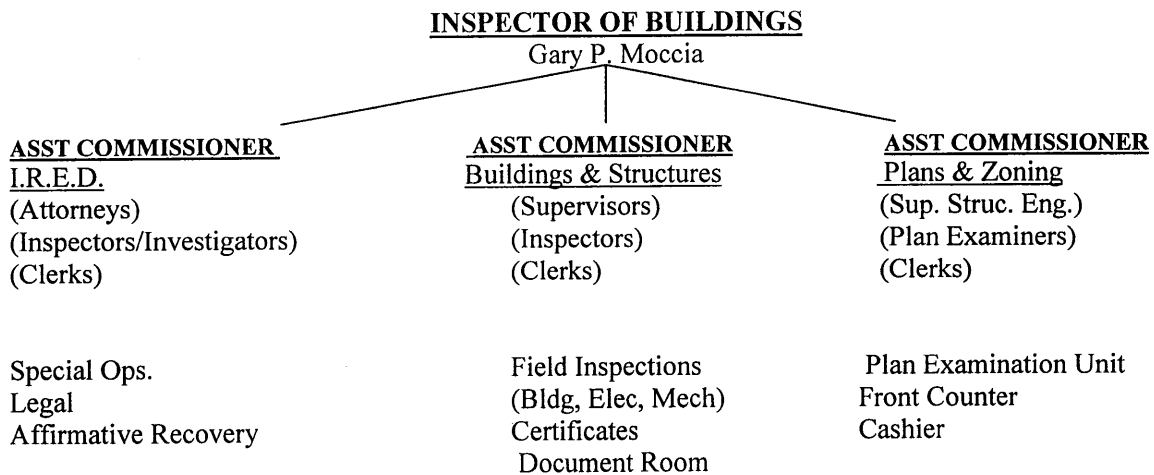
**Section 5.0:**

**Building & Structures Division Organization**

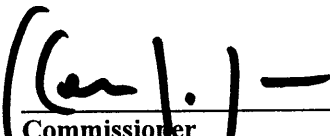
The Building and Structures Division shall be under the direction of the Inspector of Buildings. He shall be assisted in the performance of his duties by Assistant Commissioners in the following departments:

Investigations and Regulatory Enforcement Division (Special Operations)  
Plans and Zoning  
Buildings and Structures

The responsibilities and personnel assigned to the Assistant Commissioners are as outlined in the Organizational Chart below:



Signed:

  
\_\_\_\_\_  
Commissioner  
Inspectional Services Department  
Date:

Signed:

  
\_\_\_\_\_  
Assistant Commissioner of Department  
Inspectional Services Department  
Date:

\_\_\_\_\_  
Assistant Commissioner, Bldgs & Structures  
Inspectional Services Department  
Date: